

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRIAN WHITAKER,  
Plaintiff,

v.

HARSHRAJ INVESTMENTS, INC.,  
Defendant.

Case No. [21-cv-08029-VC](#)

**ORDER DISMISSING CASE**

Re: Dkt. Nos. 30, 31

The Court declines to exercise supplemental jurisdiction over the Unruh Act claim. *See Arroyo v. Rosas*, 19 F. 4th 1202, 1211–14 (9th Cir. 2021). The case is in its early stages, so concerns of judicial economy, convenience, fairness to litigants, and comity do not favor retaining jurisdiction. *See id.* at 1214. And the facts of the case—“a frequent filer of ADA and Unruh Act claims seeking federal jurisdiction to circumvent California’s procedural barriers to such suits—present the type of exceptional circumstances contemplated by section 1367(c)(4)” to decline supplemental jurisdiction. *Whitaker v. Alice & Olivia California Holdings LLC*, 2022 WL 1135088, at \*1 (N.D. Cal. Apr. 18, 2022).

The plaintiff’s request to dismiss the ADA claim without prejudice is granted. The Clerk of Court may close the case.

**IT IS SO ORDERED.**

Dated: August 23, 2022

  
\_\_\_\_\_  
VINCE CHHABRIA  
United States District Judge